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Practitioner's Docket No. 1540/140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of: Katherine Gordon, Robert J. Leonard

Application No.: 09/932,821

Group No.: 1614

Filed: August 17, 2001

Examiner: Bahar

For: Novel Formulations for Administering Therapeutic Lipophilic Molecules

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT, PETITION AND FEE FOR EXTENSION OF TIME
TO MAINTAIN PARENT CASE WHEN AT THE SAME TIME
FILING NEW APPLICATION CLAIMING ITS BENEFIT

1. The amendment in this case is a *bona fide* attempt by applicant to respond and to advance this application to final action, while at the same time filing a continuation application.

A copy of this amendment and petition is being filed with the papers constituting the filing of the separately filed application.

2. The amendment being filed in this case is attached.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: June 17, 2003

Signature

Barbara J. Carter

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment, Petition and Fee for Extension of Time to Maintain Parent Case When at the Same Time Filing
Application Claiming Its Benefit—page 1 of 2

3. This is a petition under 37 C.F.R. § 1.136(a) for an extension of time to respond to the Office Action mailed December 17, 2002.

4. Applicant is a small entity.

The statement has already been filed. This status is still proper and its benefit under 37 C.F.R. section 1.28(a) is hereby claimed.

5. Extension requested

The proceedings herein are for a patent application and the provisions of 37 C.F.R. section 1.136 apply.

Applicant petitions for an extension of Three months time under 37 C.F.R. section 1.136(a).
(fees: 37 C.F.R. section 1.17(a)(1)-(4)).

Fee: \$465.00

If an additional extension of time is required, please consider this a petition therefor.

6. Fee Payment

Attached is a check in the amount of \$465.00.

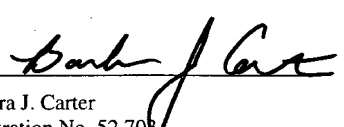
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

7. Fee Deficiency

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

Date: June 17, 2003


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

Applicants: Gordon, K. et al.
Appl. No: 09/932,821
File Date: 08/17/01
Invention: NOVEL FORMULATIONS FOR ADMINISTERING
THERAPEUTIC LIPOPHILIC MOLECULES
Art Unit: 1617
Examiner: Bahar, Mojdeh
Docket No.: 1540/140

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria, VA 22313 on June 17, 2003.


Barbara J. Carter

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Honorable Commissioner of Patents
Alexandria, VA 22313

RESPONSE A

Dear Sir:

Applicants respectfully submit this response to the Office Action of December

~~17, 2002, and ask that the following amendments be made and arguments be considered~~